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# COUNTY OF YORK

## MEMORANDUM

**DATE:** February 18, 2000 (BOS Mtg. 03/01/2000)

**TO:** York County Board of Supervisors

**FROM:** Daniel M. Stuck, County Administrator *DM*

**SUBJECT:** Proposed Waiver of Interest in Estate of Jean Klein

Attached to this memorandum is a resolution which would authorize the County Administrator to execute a partial waiver of the County's interest in the Estate of Jean Klein. Ms. Klein died on November 28, 1999, leaving a Last Will and Testament which left her entire estate to the County for the purpose of equipping and/or enhancing the facilities of Fire Station No. 3 in the Bruton District. In January, the County was contacted by Elizabeth Vinson of the law firm of Spirn, Tarley, Robinson & Tarley, asking if the County would consent to execute a disclaimer of its interest in the estate. Ms. Vinson explained to County staff that Ms. Klein died owning nothing more than her furniture and items of personal property in her apartment. Ms. Vinson has provided assurance that she has been unable to locate evidence of any bank accounts or other similar accounts owned by Ms. Klein. As evidenced by the attached memorandum from Fire Chief Stephen Kopczynski to James Barnett, County Attorney, Mr. Kopczynski and Assistant Chief Michael Player have inspected Ms. Klein's apartment and in their opinion have concluded that there is nothing of value in the apartment which would justify the trouble and expense of attempting to store and sell the property in order to realize any income. Fearing, nonetheless, that Ms. Klein may be discovered at some later date to have owned a bank account or investments or other items of value, the County Attorney has proposed to the attorney for the Klein estate that the County execute only a limited disclaimer, waiving any interest the County may have only in those items of household property which were located in Ms. Klein's apartment at the time of her death. Ms. Vinson, on behalf of the estate, has reviewed the limited disclaimer and has expressed her approval. The immediate problem from the estate's point of view is that the owner of the apartment complex is anxious to re-let the apartment, which has been vacant now for two months. If the County does not act in relatively short order either to take possession of Ms. Klein's belongings and remove them from the apartment, or waive its interest in the property so that it can be removed either by the apartment manager or by the estate, the apartment manager may soon be filing a legal action which could result in the property being removed, with no assurance that it would be cared for.

I recommend that you adopt Resolution R00-36.

Barnett/3340:swb